

Jul 15, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

TONY RAFAEL BAEZA-CRUZ,

Defendants.

No. 2:19-CR-0075-JTR

ORDER GRANTING MOTION TO
WITHDRAW MOTION TO DISMISS

THIS MATTER comes before the Court on Defendant Baeza-Cruz' motion to withdraw his earlier motion to dismiss the indictment, ECF No. 80. ECF No. 84. Defendant Baeza-Cruz (Defendant) is represented by Assistant Federal Defender J. Stephen Roberts, Jr. The United States is represented by Assistant United States Attorney Matthew F. Duggan.

On July 8, 2019, Defendant submitted a motion to dismiss the indictment in this matter. ECF No. 80. The United States has filed no response to the pending motion. Nevertheless, Defendant now seeks to withdraw the motion from the Court's consideration. ECF No. 84. The United States has not objection to the motion to withdraw. ECF No. 84 at 2.

Good cause appearing therefor, **IT IS HEREBY ORDERED:**

1. Defendant's Motion to Withdraw Motion to Dismiss, **ECF No. 84, is GRANTED.**

1 2. Defendant's Motion to Dismiss Indictment, **ECF No. 80**, is
2 **STRICKEN** from the record.

3 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
4 order and furnish copies to counsel.

5 DATED July 15, 2019.

A handwritten signature in black ink, appearing to be "M" or "Rodgers", written over a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE